

# Milbank

STACEY J. RAPPAPORT

*Partner*

55 Hudson Yards | New York, NY 10001-2163  
 T: +1 (212) 530-5347  
 srappaport@milbank.com | milbank.com

USDC SDNY	DOCUMENT
<b>ELECTRONICALLY FILED</b>	
<b>DOC #:</b> _____	
<b>DATE FILED:</b> 9/11/2024	

September 3, 2024

**VIA ECF**

Hon. Margaret M. Garnett  
 United States District Court  
 Southern District of New York  
 40 Foley Square, Room 2102  
 New York, NY 10007

Re: *Martin v. Brighthouse Life Insurance Company*, Case No. 1:21-CV-02923

Dear Judge Garnett:

We represent Defendant Brighthouse Life Insurance Company (“Brighthouse”) in the above-referenced action. We submit this letter in support of Brighthouse’s request to seal sensitive and proprietary commercial information relating to Brighthouse’s recent expense assumptions from 2018 and 2019 (“Expense Assumptions”) contained in Defendant’s forthcoming Motion for Leave to File a Reply in Further Support of its Motion to Strike the Expert Report of Terry M. Long (“Reply”). The Court previously granted Brighthouse’s motions to seal the Expense Assumptions. See ECF No. 100 (“August 30 Sealing Order”); ECF Nos. 95 & 96 (Brighthouse’s Prior Sealing Motions). In the Reply, Brighthouse seeks to seal (1) portions of an appendix to the Reply (the “Long Appendix”) quoting from the Expert Report of Terry M. Long (“Long Report”) and (2) portions of an excerpt of the deposition of Terry M. Long (“Long Deposition”), which both discuss the already sealed Expense Assumptions.<sup>1</sup> Brighthouse respectfully submits that the portions of the Long Appendix and Long Deposition concerning the Expense Assumptions should remain sealed for the reasons set forth in the August 30 Sealing Order.

---

<sup>1</sup> The Long Appendix quotes from the portions of the Long Report that the Court previously sealed, and the Long Deposition concerns testimony regarding the same portion of the Long Report that the Court previously sealed.

MILBANK LLP

NEW YORK | LOS ANGELES | WASHINGTON, D.C. | SÃO PAULO | FRANKFURT  
 LONDON | MUNICH | BEIJING | HONG KONG | SEOUL | SINGAPORE | TOKYO

September 3, 2024

Page 2

Respectfully submitted,

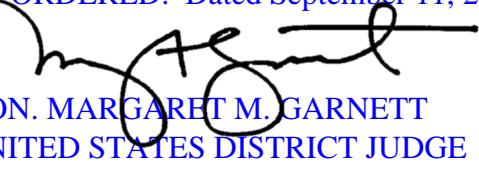
*/s/ Stacey J. Rappaport*

Stacey J. Rappaport

Cc: Counsel of Record

Application GRANTED. For the reasons stated in the Court's August 30, 2024 Sealing Order (Dkt. No. 100), Defendant Brighthouse's motion to seal sensitive and proprietary commercial information relating to Brighthouse's 2018 and 2019 expense assumptions contained in portions of an appendix to Brighthouse's motion for leave to file a reply in further support of its motion to strike the expert report of Terry M. Long and portions of the deposition of Terry M. Long is GRANTED. The Clerk of Court is respectfully directed to terminate Dkt. No. 106.

SO ORDERED. Dated September 11, 2024



HON. MARGARET M. GARNETT  
UNITED STATES DISTRICT JUDGE